

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	
)	
WOODROW RUDOLPH DIXON)	No. 1:12-CR-205-ODE-ECS
et al,)	
)	
Defendants.)	

**DEFENDANT’S MOTION FOR LEAVE TO FILE BRIEF ADDRESSING
SUPPLEMENTAL AUTHORITY**

Defendant **WOODROW RUDOLPH DIXON**, through undersigned counsel, respectfully moves the Court for an order permitting the filing of a Brief Addressing Supplemental Authority as further described below. In support of this Motion he states as follows:

1

Briefing was completed on Mr. Dixon’s pretrial motions when the Government filed its Response on May 13 [Doc. 143].

2

On May 17, 2013, the United States Court of Appeals for the First Circuit decided *United States v. Wurie*, __ F.3d __, 2013 WL 2129119 (1st Cir. May 17, 2013) (No. 11-1792). *Wurie* addresses a question that is central to Mr. Dixon's Second Motion to Suppress Evidence [Doc. 99]: whether law enforcement agents may search the contents of a cell phone, incident to an arrest of the phone's owner, without first obtaining a search warrant. As has been argued in Mr. Dixon's previous filings, there is no dispositive Eleventh Circuit authority on this question.

3

Counsel has drafted and filed a Brief Addressing Supplemental Authority [Doc. 144] and hereby requests that the Court receive and consider that Brief.

4

Mr. Dixon consents to the exclusion from Speedy Trial calculations of the time from the end of the last excludible period to May 30, 2013, the filing date for the additional Brief.

WHEREFORE, for the reasons stated herein, Woodrow Rudolph Dixon requests that the Court receive and consider his Brief Addressing Supplemental Authority.

Respectfully submitted this 31st day of May, 2013.

/s/ Stephen R. Scarborough
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CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2013, I electronically filed the accompanying **DEFENDANT'S MOTION FOR LEAVE TO FILE BRIEF ADDRESSING SUPPLEMENTAL AUTHORITY** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to all counsel of record.

/s/ Stephen R. Scarborough
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